



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/720,101

11/25/2003

Hideo Maki

8043-1019

4468

466

7590

09/11/2006

YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON, VA 22202

EXAMINER

ELALLAM, AHMED

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,101

Applicant(s)

MAKI ET AL.

Examiner

AHMED ELALLAM

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/25/03, 07/28/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Regarding claims 4 and 5, the phrase "or like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

2. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In addition to the above rejection of claim 5, the phrase "the power supply of the PHS or like wireless communication means is held "ON" at all times" is confusing, because it has been already stated in parent claim 1, that "the associated wireless LAN device intermittently turns on its power supply in synchronism to a beacon signal". The limitation of base claim is understood to mean that the power supply is turned on and off which is contradictory of that of claim 5.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1 and 3-4, 6 and 7 are rejected under 35 U.S.C. 102(a) as being anticipated by Adachi (U.S. Patent No. 6,018,642).

Regarding claims 1 and 7, Adachi teaches a wireless LAN system comprising a plurality of mobile stations (claimed hosts) each having a wireless LAN device (a host is inherently have circuitry (claimed wireless LAN device) such as a transceiver for receiving beacon or data from the base station (claimed access point)) (Fig. 21; column 1, lines 15-22), wherein:

The mobile station is powered on during data transmission period in synchrony with a beacon signal emanated from the base station, wherein the beacon comprise information regarding the presence or absence of transmission data sent to the self station, and wherein if there is no data for the self station the power supply is turned off until the next time, see column 2, lines 27-50. (Claimed even when a power supply of a host is "off" the associated wireless LAN device intermittently turns on its power supply in synchronism to a beacon signal from the access point to check the presence of any received arrival addressed to itself.

Regarding claim 3, Adachi further teaches the wireless LAN system wherein upon detection of an arrival packet addressed to itself, the wireless LAN device starts the associated host to start an arrival reception application (column 2, lines 1-8).

Regarding claim 4, Adachi with reference to figure 7 shows a power saving mobile station, (claimed wireless LAN device is a LAN component including "PHS like wireless communication means".

Regarding claim 6, Adachi discloses that the mobile station is a personal computer; see column 13, lines 54-56.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi (U.S. Patent No. 6,018,642) in view of Hoffmann et al, US (2004/0114535, hereinafter referred to as Hoffmann).

Regarding claim 2, Adachi teaches all subject matters as indicated above with reference to claim 1, except it doesn't specify that the beacon is sent out in a predetermined constant cycle of about 100 msec.

However, Hoffmann discloses that beacon signals are generally sent every 100 msec in 802.11 systems. (Claimed beacon is sent out in a predetermined constant cycle of about 100 msec).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to send the beacon of Adachi every 100 msec cycle as

indicated by Hoffmann so that the system of Adachi would conform to established wireless local area standards (i.e.802.11).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See PTO Form-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AHMED ELALLAM whose telephone number is (571) 272-3097. The examiner can normally be reached on 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, To Doris can be reached on (571) 272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHMED ELALLAM

Application/Control Number: 10/720,101

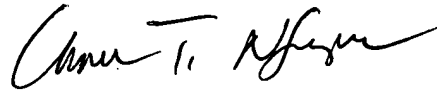
Page 6

Art Unit: 2616

Examiner

Art Unit 2616

September 4, 2006

A handwritten signature in black ink, appearing to read "Chau T. Nguyen". The signature is fluid and cursive, with a long horizontal stroke at the end.

CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600